

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SHEILA D. MITCHELL,

Plaintiff,

vs.

Civil Action 2:08-CV-601  
Judge Frost  
Magistrate Judge King

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On August 24, 2009, the United States Magistrate Judge issued a *Report and Recommendation* recommending that this action be remanded to the Commissioner for the consideration of new and material evidence. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This action is hereby **REMANDED** to the Commissioner of Social Security for the consideration of new and material evidence.

The Clerk shall enter **FINAL JUDGMENT** pursuant to Sentence 4 of 42 U.S.C. §405(g).

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/s/ Gregory L. Frost  
Gregory L. Frost  
United States District Judge